

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT**

**IN THE MATTER OF:**

Michael T. Yurkunas, Debtor(s).

CHAPTER 13

CASE NO. 18-56338-TJT

JUDGE THOMAS J. TUCKER

**TRUSTEE'S OBJECTIONS TO  
CONFIRMATION OF CHAPTER 13 PLAN**

**NOW COMES**, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. As of today, the Trustee has not received a true copy of the debtor's **Payment Order**, or an Electronic Transfer of Funds Payment Order, in contravention of E.D. Mich. L.B.R. 1007-1(c).

2. The value of property to be distributed under the Plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate of the debtor(s) were liquidated under Chapter 7, contrary to 11 U.S.C. 1325(a)(4).

3. The debtor testified at the §341 First Meeting of Creditors that the **non-filing spouse** is currently looking for employment. The Trustee requests that the debtor provide the status of the non-filing spouse employment at confirmation and/or amend Schedules I and J at any point in time that the non-filing spouse becomes employed.

4. The debtor provides for treatment of Wells Fargo Dealer Services as a class 4.1 and 4.2 claim regarding a debt owed to them for a 2013 Chevrolet Equinox. The Trustee objects to this treatment and requests that the debtor treat Wells Fargo Dealer Services as a class 5 claim.

5. The Trustee objects to the debtor's failure to provide complete information in the Chapter 13 Plan, class 4.2, for a AmeriHome Mortgage as the debtor failed to disclose the months to cure from the date of confirmation. The Trustee is unable to administer the debtor's case without this information.

6. The Trustee objects to the debtor's failure to disclose in the Chapter 13 Plan whether the debtor will remit a 100% Plan or provided for liquidation to class 9 general unsecured creditors and the Trustee requests an amendment of same.

7. The debtor provides in the income schedule (Schedule I) that he is currently employed but the debtor failed to disclose any information regarding his employment. The debtor testified at the §341 First Meeting of Creditors that he is currently seeking employment. The Trustee requests that the debtor provide the status of his employment at confirmation and to amend the schedules accordingly. The Trustee further requests that if the debtor is not employed at the

time of confirmation that the debtor provide a provision in the order confirming plan that upon the debtor obtaining employment and/or benefits that the debtor will amend the schedules and provide the Trustee with proof within thirty days.

**WHEREFORE**, the Chapter 13 Trustee requests this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT  
Tammy L. Terry, Chapter 13 Trustee

February 11, 2019

/s/ Tammy L. Terry

TAMMY L. TERRY (P-46254)

Chapter 13 Standing Trustee

/s/ KIMBERLY SHORTER - SIEBERT (P-49608)

/s/ MARILYN R. SOMERS-KANTZER (P-52488)

Staff Attorneys

535 Griswold, Suite 2100

Detroit, MI 48226

(313) 967-9857

mieb\_ecfadmin@det13.net

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

**IN THE MATTER OF:**  
Michael T. Yurkunas  
, Debtor(s).

---

CHAPTER 13  
CASE NO. 18-56338-TJT  
JUDGE THOMAS J. TUCKER

**CERTIFICATE OF MAILING**

I hereby certify that on February 12, 2019, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

**/s/ Patrice N. Watson**

For the Office of the Chapter 13 Trustee-Detroit  
535 Griswold, Suite 2100  
Detroit, MI 48226  
(313) 967-9857  
mieb\_ecfadmin@det13.net

Michael T. Yurkunas  
9012 Ascot Drive  
Ypsilanti, MI 481980000

BABUT LAW OFFICES PLLC  
700 TOWNER ST  
YPSILANTI, MI 481980000